

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

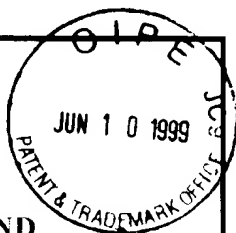
In re the application of: **D. Wagner et al.**

Serial No.: **08/948,393**

Filed: **October 10, 1997**

For: **METHOD FOR TREATING AND
PREVENTING ATHEROSCLEROSIS**

Attorney Docket No.: **10861/011002 (CBR-011-2)**



Group Art Unit: **1623**

Examiner: **K. Fonda**

[Handwritten notes and signatures in the top right corner]

Assistant Commissioner for Patents
BOX AF
Washington, D.C. 20231

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated **December 7, 1998** of the Primary Examiner finally rejecting claims **1-13, 19, 20, 23-38, 40-47**.

The Appeal Fee of \$300.00 for large entity is enclosed. If for any reason the fee is insufficient, please charge the balance to Deposit Account 06-1050 of the undersigned attorneys. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks Office, BOX AF, Washington, DC 20231 on:

June 7, 1999
Date
Karla Kalous

Respectfully submitted,

FISH & RICHARDSON

[Signature of Robert C. Nabinger]

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